

of said Bill of Complaint. Said Defendants having no knowledge of same, but demand full proof thereof.

SECOND: That said Defendants neither admit nor deny the allegations set forth in said Paragraph 5 of said Bill of Complaint. Said Defendants having no knowledge of same but demand full proof thereof.

And further answering the allegations set forth in said Paragraph 5, the Defendants state that they nor any of their predecessors in title to the real estate in question, were named as parties in said Equity proceedings; and further, that in addition to the sale of a certain 24-acre tract of mountain land now in controversy, a certain 237-acre, 1 rood and 37½ sq. perches tract was also sold.

THIRD: That the Defendants deny the allegations set forth in Paragraphs 6, 7, 8 and 9 of said Bill of Complaint.

FOURTH: Further answering the allegations set forth in the Bill of Complaint filed against them, your Defendants state that they are the sole and true owners of a certain mountain lot situate, lying and being in Tuscarora Election District, Frederick County, Maryland, containing 5 acres 2 roods 34 sq. perches of land, more or less, by virtue of the following deeds of conveyance, to-wit:

1. Deed from Gusta S. Wachter and Nevin W. Stull, Executors under the Last Will and Testament of John P. Wachter, unto Lewis F. Martz and Kathleen K. Martz, his wife, dated September 26, 1928, recorded in Liber 368, folio 123, one of the Land Records of Frederick County, Maryland, wherein the said 5 acres 2 roods and 34 sq. perches of land, more or less, is described by metes and bounds, courses and distances.

2. Deed of conveyance from Lewis F. Martz and Kathleen K. Martz, his wife, unto Marjorie E. Aubol, dated May 29, 1973, recorded in Liber 916, folio 678; deed from Marjorie E. Aubol unto Lewis F. Martz, Kathleen K. Martz, his wife, and Lewis Samuel Martz, their son, as joint tenants, dated May 29, 1973, recorded in Liber 916, folio 680.

Lewis F. Martz having predeceased the said Kathleen K. Martz and Lewis Samuel Martz.